

# CALIFORNIA BOARD OF OCCUPATIONAL THERAPY

## INITIAL STATEMENT OF REASONS

Subject Matter of Proposed Regulations: Continuing Competency Requirements for Foreign Trained Applicants

Sections Affected: Title 16, Division 39, California Code of Regulations, Section 4110.

### SPECIFIC PURPOSE OF THE REGULATIONS:

On January 1, 2001, Senate Bill 1046 (Murray, Chapter 697, Statutes of 2000) took effect, establishing the Board whose duties are to license occupational therapists, certify occupational therapy assistants and regulate the occupational therapy profession, with consumer protection as its number one priority. Existing law sets the education, experience and examination requirements as a means of determining entry level competency for occupational therapy practitioners. Existing law also gives the Board authority to adopt, by regulation, continuing competency requirements as a condition of license renewal. The proposed regulatory actions are necessary to implement this legislation.

### FACTUAL BASIS/NECESSITY:

The Board recognizes that occupational therapy practitioners practice in diverse settings, offering a variety of services to assist clients in activities of daily living and restoring or enhancing independence, and are educated both domestically and abroad. This proposed regulation is needed to provide direction to foreign trained applicants who are qualifying for licensure pursuant to Section 2570.15 of the Business and Professions Code.

Section 4110: This proposed regulation clarifies the educational requirements for foreign trained applicants who are applying in order to qualify for a license. All occupational therapy educational programs in the United States meet the requirements set forth in §2570.6 of the Occupational Therapy Act. Applicant trained outside the United States must prove that said foreign education and training is substantially equal to the curriculum and training specified under §2570.6

### UNDERLYING DATA:

No underlying data was used during the development of these regulations.

### BUSINESS IMPACT:

This regulation will not have a significant adverse economic impact on business. The proposed regulation will only affect individuals applying for a occupational therapist license or occupational therapy assistant certificate.

### SPECIFIC TECHNOLOGIES OR EQUIPMENT

These regulations do not mandate the use of specific technologies or equipment.

## CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulations would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.